



**U.S. Department of Justice**  
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# **PRESS RELEASE**

**AUGUST 2, 2005**

**RE: UNITED STATES v. MAXIM LEVIN, et al.,**

Acting United States Attorney Kathleen M. Mehlretter announced today a nineteen-count Indictment, charging thirty defendants with conspiracy to commit health care fraud and mail fraud in violation of Title 18, United States Code, Section 371 carrying a maximum penalty of 5 years imprisonment, a fine of \$250,000.00, or both.

All thirty defendants were also charged with health care fraud in violation of Title 18, United States Code, Section 1347 carrying a maximum penalty of 10 years imprisonment, a fine of \$250,000.00, or both. In addition, fourteen of the defendants were charged with mail fraud in violation of Title 18, United States Code, Section 1341 carrying a maximum penalty of 5 years imprisonment, a fine of \$250,000.00, or both. It should be noted that the fact that a defendant has been charged with a crime . . . is merely an

accusation and the defendant is presumed innocent until and unless proven guilty. **(Disciplinary Rule 7-107(B)(6)).**

Assistant U.S. Attorney John E. Rogowski, who presented the case to the Grand Jury, stated that the Indictment charges the defendants with participating in staged automobile collisions in order to defraud insurance companies that provided no-fault insurance coverage. Rogowski said the defendants fraudulently induced the insurance companies to pay medical clinics and health care providers for unnecessary medical treatments rendered to certain of the defendants who falsely claimed to be injured in the staged collisions. The Indictment also charges that certain of the defendants falsely claimed to have sustained serious physical injuries in the staged collisions in order to collect personal injury settlements from the insurance companies.

According to Acting United States Attorney Mehlretter, the Indictment alleges that defendant MAXIM LEVIN paid RADISLAV "RADIK" "RAY" LANKIN and PETER BARABASH to recruit the other defendants to undertake certain roles in the nine staged crashes, which all took place in Western New York from May through October 2001. As set forth in the chart below, all but one of the collisions involved a defendant or other participant driving a vehicle, often a rental, and intentionally striking a second "victim" vehicle operated by another defendant or other participant in the scheme. In each staged collision, a number of other defendants and participants falsely claimed to have been injured.

The indictment further alleges that the defendants and other participants who falsely claimed to have been injured received "treatment" at various medical facilities, including facilities in Buffalo, Williamsville, and Brooklyn, New York. Under the New York State No-Fault Insurance Law, the insurance company providing the no-fault coverage is responsible for paying up to \$50,000 in medical treatment, services and items, such as durable medical equipment, for each person injured in an automobile accident. Further, the no-fault insurance law allows each person who sustains "serious bodily injury" to seek payment from insurance companies for their alleged injuries.

The Indictment alleges that some participants in the defendants' scheme, who were present at the scene of staged collisions, falsely identified themselves by using the names of certain of the defendants who were not present the scene. Those defendants whose names were falsely used at the scene, and who primarily lived in the New York City area, would then falsely claim to have been not only present at the scene but also injured as a result of the "accident." These defendants were then "treated" at medical facilities in the Brooklyn, New York, area. The insurance companies then would be billed for the alleged "treatment."

The defendants charged in the Indictment are as follows:

**MAXIM LEVIN**, age 27, of Tonawanda, New York, is charged in 17 of the 19 counts. LEVIN is alleged to have controlled a company which provided unnecessary durable medical equipment to the participants who were "treated" at a medical clinic in Williamsville, New York.

**RADISLAV "RADIK" "RAY" LANKIN**, age 26, and **PETER BARABASH**, age 24, both of Amherst, New York, are charged in all **19** counts. As set forth below, LANKIN (May 30 and October 3 and 30, 2001) and BARABASH (July 10, 2001) also participated in staged collisions.

**OTHER DEFENDANTS**

**May 30, 2001, Staged Collision (Amherst, NY)**

<b>DEFENDANT</b>	<b>ROLE</b>	<b>RECEIVED "TREATMENT"</b>	<b>RECEIVED SETTLEMENT</b>
YEVGENIY KAZDHAN Buffalo, NY age 32	Driver: Rental Vehicle	YES	
RADISLAV LANKIN	Passenger: Rental Vehicle		
ARSEN MIRZOIAN Amherst, NY age 28	Driver: "Victim" Vehicle	YES	
JANNA MIRZOIAN Amherst, NY age 49	Passenger: "Victim" Vehicle	YES	
VICTORIA MIRZOIAN Amherst, NY age 27	Passenger: "Victim" Vehicle	YES	
ALEX SHVARTSBERG Amherst, NY age 29	Passenger: "Victim" Vehicle	YES	

**JULY 10, 2001, Staged Collision (Buffalo, NY)**

<b>DEFENDANT</b>	<b>ROLE</b>	<b>RECEIVED "TREATMENT"</b>	<b>RECEIVED SETTLEMENT</b>
ALEXANDER POLYAK Amherst, NY age 29	Driver: "Victim" Vehicle	YES	\$9,742 for vehicle damage \$6,000 for injuries
PETER BARABASH	Passenger: "Victim Vehicle	YES	\$7,500 for injuries
other participants	Passengers: "Victim Vehicle	YES	\$5,000 for injuries

**AUGUST 8, 2001, Staged Collision (Buffalo, NY)**

<b>DEFENDANT</b>	<b>ROLE</b>	<b>RECEIVED "TREATMENT"</b>	<b>RECEIVED SETTLEMENT</b>
THOMAS CROOME Amherst, NY age 25	Driver: Rental Vehicle		
YEVGENIY KAZDHAN	Driver: "Victim" Vehicle	YES	\$9,742 for vehicle damage \$12,500 for injuries
DZIANIS YUDCHYTS Amherst, NY age 24	Passenger: "Victim Vehicle	YES	
VERA PROSKUNOVA Amherst, NY age 21	Passenger: "Victim Vehicle	YES	\$7,000 for injuries
other participants	Passengers: "Victim Vehicle	YES	\$14,000 for injuries

**AUGUST 11, 2001, Staged Collision (Niagara Falls, NY)**

<b>DEFENDANT</b>	<b>ROLE</b>	<b>RECEIVED "TREATMENT"</b>	<b>RECEIVED SETTLEMENT</b>
IGOR VASSILIEV Williamsville, NY age 33	Driver: "Victim" Vehicle	YES	\$10,000 for injuries
VLADIMIR WARONIN Brooklyn, NY age 44	Passenger: "Victim Vehicle	YES	\$8,000 for injuries
VICTOR BERIOSKA a/k/a VICTOR BURLIOZKO Brooklyn, NY age 44	Passenger: "Victim Vehicle	YES	\$8,000 for injuries
DENIS KUNCH Brooklyn, NY age 38	Passenger: "Victim Vehicle	YES	\$8,000 for injuries

**AUGUST 31, 2001, Staged Collision (Amherst, NY)**

<b>DEFENDANT</b>	<b>ROLE</b>	<b>RECEIVED "TREATMENT"</b>	<b>RECEIVED SETTLEMENT</b>
RYAN SILVER Amherst, NY age 24	Driver: "At Fault" Vehicle		
MICHAEL DARMOGRAI Cheektowaga, NY age 22	Passenger: "At Fault" Vehicle	YES	
YURI SENKIV Lancaster, NY age 21	Passenger: "Victim Vehicle	YES	\$7,500 for injuries
other participants	Driver of "Victim" Vehicle and Passengers: of both vehicles	YES	\$1,861.16 for vehicle damage \$8,000 for injuries

**SEPTEMBER 24, 2001, Staged Collision (Amherst, NY)**

DEFENDANT	ROLE	RECEIVED "TREATMENT"	RECEIVED SETTLEMENT
IGOR VASSILIEV	Driver: "Victim" Vehicle (rented)	YES	
IGOR SHERSHNEVSKIY Buffalo, NY age 36	Passenger: "Victim" Vehicle	YES	
other participants	Passengers: "Victim" Vehicle	YES	

**SEPTEMBER 27, 2001, Staged Collision (Buffalo, NY)**

DEFENDANT	ROLE	RECEIVED "TREATMENT "	RECEIVED SETTLEMENT
VYACHESLAV SHEVCHUK Amherst, NY age 22	Driver: "Victim" Vehicle	YES	
ROMAN ILYAYEV Brooklyn, NY age 35	Passenger: "Victim Vehicle	YES	\$15,000 for injuries jointly with Sabina Ilyayev
SABINA ILYAYEV Brooklyn, NY age 30	NOT at scene CLAIMED to be Passenger: "Victim" Vehicle	YES	\$15,000 for injuries jointly with Roman Ilyayev
VICTORIA SEMENOVA Brooklyn, NY age 26	NOT at scene CLAIMED to be Passenger: "Victim" Vehicle	YES	\$1,500 for injuries
other participants	Driver and Passenger of "At fault" Vehicle and passengers of "Victim" Vehicle who gave false names		

**OCTOBER 3, 2001, Staged Collision (Amherst, NY)**

<b>DEFENDANT</b>	<b>ROLE</b>	<b>RECEIVED "TREATMENT"</b>	<b>RECEIVED SETTLEMENT</b>
VYACHESLAV ILYAYEV Fresh Meadows, NY age 42	NOT at scene CLAIMED to be Passenger: "Victim" Vehicle	YES	\$9,000 for injuries
KRISTINA ILYAYEV Fresh Meadows, NY age 22	NOT at scene CLAIMED to be Passenger: "Victim" Vehicle	YES	\$8,000 for injuries
TATIANA ILYAYEV Fresh Meadows, NY age 45	NOT at scene CLAIMED to be Passenger: "Victim" Vehicle	YES	\$8,000 for injuries
other participants	Drivers of Rental and "Victim" Vehicle and passengers of "Victim" Vehicle who gave false names		\$8,500 for vehicle damage

**OCTOBER 30, 2001, Staged Collision (Lackawanna, NY)**

<b>DEFENDANT</b>	<b>ROLE</b>	<b>RECEIVED "TREATMENT"</b>	<b>RECEIVED SETTLEMENT</b>
ANDRE BORISOV New York, NY age 26	NOT at scene CLAIMED to be Passenger: "Victim" Vehicle	YES	
NATALYA SVIRIDOVSKAYA Brooklyn, NY age 29	NOT at scene CLAIMED to be Passenger: "Victim" Vehicle	YES	



ALEKSEY JIRNOV Staten Island age 33	NOT at scene CLAIMED to be Passenger: "Victim" Vehicle	YES	
other participants	Driver and Passengers of Rental "Victim" Vehicle who gave false names.		

Assistant U.S. Attorney Rogowski said the Western New York Health Care Fraud Task will continue its investigation in this case.

Arraignments for some of the defendants are scheduled for today before United States Magistrate Judge H. Kenneth Schroeder, Jr.

The indictment was the result of an investigation conducted by the Western New York Health Care Fraud Task Force consisting of agents from the Federal Bureau of Investigation; Internal Revenue Service - Criminal Investigation Division; United States Department of Health and Human Services - Office of Inspector General; United States Postal Inspection Service; United States Postal Service - Office of Inspector General; the United States Department of Defense - Criminal Investigation Service; the United States Food and Drug Administration - Office of Criminal Investigation; and the New York State Insurance Fraud Bureau.

Other law enforcement agencies involved in the investigation were the United States Department of Homeland Security - Bureau of Immigration and Customs Enforcement;

United States Department of Labor; United States Social Security Administration - Office of Inspector General; the Niagara County District Attorney's Office; and the Amherst Police Department.

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